

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

IN RE: DIGITEK PRODUCT LIABILITY
LITIGATION

MDL NO. 1968

THIS DOCUMENT RELATES ONLY TO:

Doris M. Pinder, individually and on behalf of all
others similarly situated,

Plaintiffs,

Civil Action No. Cv 108 115
(Southern District of Georgia,
Augusta, Division)

v.

Actavis Group hf, et al.,

Defendants.

**RESPONSE TO DEFENDANTS' MOTION FOR THE
ENTRY OF A *LONE PINE* CASE MANAGEMENT ORDER**

The Defendants' Motion for a *Lone Pine* Case Management Order is overly broad and unduly burdensome on Plaintiff, Mrs. Pinder. As shown by the attached medical records, Mrs. Pinder was diagnosed with digoxin toxicity following taking digitek® when she was admitted to the hospital for treatment. Since Mrs. Pinder was diagnosed with digoxin toxicity and such is clearly presented in her medical records, to require the Plaintiff to go to the trouble of locating a medical expert to give and file an affidavit to prove her medical records is unnecessarily burdensome and would not further the interests of this litigation. Consequently, Mrs. Pinder should be exempted from any *Lone Pine* Case Management Order; or in the alternative, no *Lone Pine* Case Management Order should be entered.

Respectfully submitted this 11th day of September, 2009.

s/Stanley G. Jackson
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CERTIFICATE OF SERVICE

This is to certify that on this 11th day of September, 2009, a true and correct copy of the above and foregoing is being electronically transmitted to the Clerk of Court using the ECF System for filing to the following:

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